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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Chen et al.

Serial No. 10/002,722

Filing Date: 12/5/01

For: **DTX Detection Method with High
Success Probability**

Attorney Docket No. 4015-1702

RECEIVED

FEB 07 2002

Technology Center 2600

Group Art Unit:

Raleigh, North Carolina
January 7, 2002

Commissioner for Patents
BOX FILING DATE
Washington, D.C. 20231

**REQUEST FOR AWARD OF PRIORITY MAILING DATE
AS THE APPLICATION FILING DATE DUE TO POSTAL EMERGENCY**

Sir:

The above-identified application was refused by the United States Post Office for delivery to the United States Patent and Trademark Office (USPTO) by Express Mail on November 16, 2001. This refusal stemmed from the temporary suspension of Express Mail delivery to certain Washington, D.C. ZIP codes, including the 20231 ZIP code associated with the USPTO.

In accordance with guidance from the USPTO, the application paperwork was mailed using priority mailing procedures on November 16, 2001. The application paperwork as submitted included the Express Mail Label Number that would have been used. A signed statement by the employee who attempted the express mailing is attached herewith, and a copy of original Express Mail certificate and the returned postcard are enclosed.

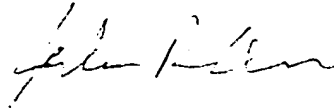
The filing receipt (copy enclosed) indicates that the application was assigned the filing date of **December 5, 2001**. This date should be changed to **November 16, 2001**, the attempted date of express mailing. No formal petition or fees should be required for this change of filing date because of the declared postal emergency. However, if a petition is required, please consider this letter as such, and the Commissioner is hereby authorized to charge any required fees to Deposit Account 18-1167.

Receipt date
granted is
11/16/01.
J. Chang
from OPA

Request for Filing Date Change
Application Serial No. 10/002,722

Respectfully submitted,
Coats & Bennett, P.L.L.C.

By:



John R. Owen
Registration No. 42,055

Post Office Box 5
Raleigh, North Carolina 27602

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CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS DOCUMENT IS BEING DEPOSITED WITH THE UNITED STATE POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO:
Commissioner for Patents, BOX FILING DATE, Washington, D.C. 20231

Signature: _____



Date: _____

7 Jan 2002

STATEMENT BY ROBIN GOSS RE: REFUSAL OF EXPRESS MAIL

I, Robin Goss, attempted to mail an application for United States Patent entitled "DTX Detection Method with High Success Probability," and now assigned Application Ser. No. 10/002,722, on November 16, 2001, using the Express Mail "Post Office to Addressee" procedures provided for by 37 C.F.R. § 1.10. The Express Mailing Label No. used was "EV 014468805 US." The Express Mail envelope was refused by the United States Post Office located at 150 Wrenn Dr, Cary, NC 27511.

This refusal stemmed from the temporary suspension of Express Mail service to Washington, D.C., ZIP codes 202xx through 205xx, which suspension began on November 16, 2001, under authority of the Chief Operating Officer of the United States Postal Service.

Because of the Post Office's refusal to accept the application as Express Mail, I deposited the complete application paperwork for the above-identified application as priority mail on that same day, November 16, 2001.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Robin Goss

11-16-01
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

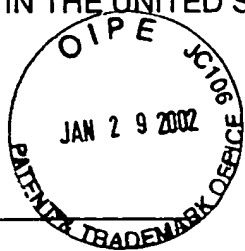
Chen et al.

Serial No. _____

Filed: _____

For: DTX DETECTION METHOD WITH HIGH
SUCCESS PROBABILITY

Attorney's Docket No. 4015-1702



COPY

Express Mail Certification
Label No. EV014468805US

Raleigh, North Carolina

November 16, 2001

Commissioner for Patents
BOX PATENT APPLICATION
Washington, D.C. 20231

Sir:

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EXPRESS MAIL CERTIFICATE LABEL NO. EV014468805US

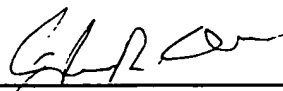
DATE MAILED: November 16, 2001

I hereby certify that the enclosed Utility Patent Application Transmittal, Fee Transmittal Form (2 copies), specification and claims, drawings (1 set of 7 sheets), Declaration and Power of Attorney, Assignment and Recordation Sheet, Information Disclosure Form and related patents, and our Check # 5313 in the amount of \$816.00, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, BOX PATENT APPLICATION, Washington, D.C. 20231.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.

By:




John R. Owen
Registration No. 42,055

Telephone: (919) 854-1844



COPY

jc997 U.S. PTO
In Re Application of **10/002722**
Chen et al.
Serial No. 
Filed: 12/05/01

For: DTX DETECTION METHOD WITH
HIGH SUCCESS PROBABILITY

PAPERS SENT:

- ☒ Utility Patent Application Transmittal Form
☒ Fee Transmittal Form (2 copies)
☒ Patent Application
☒ Drawings (1 set of 7 sheets)
☒ Declaration and Power of Attorney for
Patent Application
☐ Declaration Claiming Small Entity
☒ Assignment
☐ Streamlined Continuation Application \$1.6____
☐ Extension of Time (duplicate)
☐ Communication to Examiner
☒ Form PTO-1449 and related patents
☒ Other - Recordation Form Cover Sheet
☒ Other - Express Mail Certification
☒ Check No. 5313 for \$816.00

DATE MAILED: 11/16/01
Express Mail Label No. EL014468805US
4015-1702

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UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/002,722	12/05/2001	2735	776	4015-1702	7	22	3

CONFIRMATION NO. 2826

 24112
 COATS & BENNETT, PLLC
 P O BOX 5
 RALEIGH, NC 27602

FILING RECEIPT



OC000000007229990

Date Mailed: 12/26/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

 Dayong Chen, Cary, NC;
 Leonard Lee, Cary, NC;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 12/26/2001

Projected Publication Date: 06/05/2003

Non-Publication Request: No

Early Publication Request: No

Title

DTX detection method with high success probability

Preliminary Class

714

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LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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